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January 26, 2010

BY ECF

Honorable Allyne R. Ross
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Raymond Jarvis v. City of New York, et al.
08 CV 03069 (ARR)(MDG)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for the defendants in the above-referenced matter. Attached please find a duly executed Stipulation and Order of Settlement and Dismissal for Your Honor's endorsement and filing.

Thank you for your consideration herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Qiana Smith-Williams".

Qiana Smith-Williams (QS 2172)
Assistant Corporation Counsel

Encl.

cc: Michael B. Lumer, Esq. (By ECF)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
RAYMOND JARVIS,

Plaintiff,

-against-

THE CITY OF NEW YORK, PATRICK BURNETT,
ERICK NOLAN, JAMAAL MILLER, and
"JOHN/JANE DOES #1-10" believed to be members of
the NEW YORK CITY POLICE DEPARTMENT,

Defendants.

**STIPULATION AND
ORDER OF
SETTLEMENT AND
DISMISSAL**

08 CV 3069 (ARR)(MDG)

-----X
WHEREAS, plaintiff commenced this action on or about July 28, 2008, by filing
a complaint alleging, *inter alia*, violations of his state law rights and civil rights pursuant to 42
USC § 1983; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's
allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation,
without further proceedings and without defendants admitting any fault or liability; and

WHEREAS, plaintiff has authorized his counsel to settle this matter on the terms
set forth below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed, with prejudice, and
without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay to **REIBMAN & WEINER, IN TRUST FOR RAYMOND JARVIS** a sum of **ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)**, to be paid in full satisfaction of all claims, whether arising under federal or state law, including claims for costs, expenses and attorney's fees. In consideration for the payment of this sum, plaintiff agrees to the dismissal of all the claims against the defendants City of New York, Patrick Burnett, Erick Nolan, and Jamaal Miller, and to release all defendants and all present and former employees or agents of the City of New York and the New York City Police Department from any and all liability, claims, or rights of action that have or could have been alleged by plaintiff in this action arising out of the events alleged in the complaint in this action, including claims for costs, expenses and attorney's fees.

3. Plaintiff shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation a General Release based on the terms of paragraph "2" above and an Affidavit of Status of Liens.

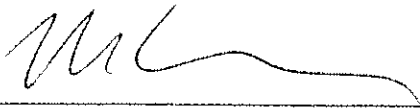
4. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.

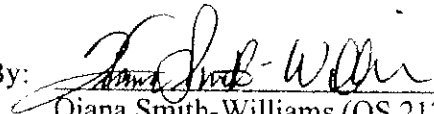
6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
January 26, 2010

REIBMAN & WEINER
Attorneys for Plaintiff
26 Court Street, Suite 1005
Brooklyn, New York 11242
(718) 522-1743

By: 
Michael Lumer, Esq. (ML 1947)

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(212) 788-1580

By: 
Qiana Smith-Williams (QS 2172)
Assistant Corporation Counsel

SO ORDERED:

HONORABLE ALLYNE R. ROSS
UNITED STATES DISTRICT JUDGE